

Nixon & Vanderhye P.C. (6/92)

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I have I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NOVEL POLYPEPTIDES

the specification of which (check applicable box(es)):

☒ [X] is attached hereto.

☐ [] was filed on _____ as U.S. Application Serial No. _____

☒ [X] was filed as PCT international application No. PCT/JP96 / 01157 on April 26, 1996

and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Prior Foreign Application(s):

Application Number	Country	Day/Month/Year Filed
Hei. 7-102625	Japan	26/April/1995

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

Prior U.S./PCT Application(s):

Application Serial No.	Day/Month/Year Filed	Status: patented, pending, abandoned
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8th Floor, Arlington, Virginia 22201-4714, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25327; Larry S. Nixon, 25640; Robert A. Vanderhye, 27076; James T. Hosmer, 30184; Robert W. Paris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Paul J. Henon, 33626; Jeffrey H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr., 29366; Thomas E. Byrne, 32205.

1) Inventor's Signature Haruhiko Yokoi Date December 16, 1996

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FOR ADDITIONAL INVENTORS, check box [X] and attach sheet with same information and signature and date for each.

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10) Inventor's Signature _____ Date _____

Inventor's Name (typed) _____
First Middle Initial Family Name Citizenship
Residence (City) _____ (State/Foreign Country) _____
Post Office Address _____ Zip Code _____

11) Inventor's Signature _____ Date _____

Inventor's Name (typed) _____
First Middle Initial Family Name Citizenship
Residence (City) _____ (State/Foreign Country) _____
Post Office Address _____ Zip Code _____

12) Inventor's Signature _____ Date _____

Inventor's Name (typed) _____
First Middle Initial Family Name Citizenship
Residence (City) _____ (State/Foreign Country) _____
Post Office Address _____ Zip Code _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

YOKOI et al

Atty. Ref.: 249-118

Serial No. to be assigned

Group: 1646

Filed: October 6, 2000

Examiner: Mertz

For: HG-CSF FUSION POLYPEPTIDE HAVING C-MPL
ACTIVITY, DNA CODING FOR SAME AND METHODS
OF TREATING ANEMIA USING SAME(AS AMENDED)

* * * * *

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

DECLARATION OF DEPOSITED MATERIALS

As an authorized representative and on the instructions of Kyowa Hakko Kogyo Co., Ltd., a Japanese corporation of 6-1, Ohtemachi 1-chome, Chiyoda-ku, Tokyo, Japan, the assignee of the U.S. Patent application identified above, I hereby declare that:

- Kyowa Hakko Kogyo Co., Ltd. is the depositor and owner of the following deposits of biological materials identified and referred to in the specification of this application and on the attached deposit receipts, international form, under the terms of the Budapest Treaty.

Accession No. FERM-

Depositor's Reference

Date Deposited

FERM BP-5001

Escherichia coli TLN-1


February 16, 1995

- The deposits of biological material identified above were made at the National Institute of Bioscience and Human Technology; Agency of Industrial Science and Technology, Ibaraki, Japan, and have been deposited and accepted under the terms of the Budapest Treaty on the International Recognition of the Deposit of

Microorganisms for the Purposes of Patent Procedure and therefore the filing of a viability statement is unnecessary [37 C.F.R. 1.807(b)]

- The deposits will be maintained for a period of 30 years from the date of deposit or for the enforceable life of any patent issuing from this application or for a period of 5 years after the date of the most recent request for the furnishing of a sample of the deposited material, whichever is longest.
- The deposits will be replaced should they become contaminated or no longer viable.
- Subject to 37 C.F.R. § 1.808(b), all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of the patent.
- Access to the deposited material is permitted during the pendency of the above-identified patent application to one determined by the Commissioner of Patents and Trademarks to be so entitled under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

I further declare that all statements made herein of my own knowledge are true and that all statement made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By: 
Arthur R. Crawford
Reg. No. 25,327

Date: 10/6/00